

Excerpts from Plaintiff's 10/19/99 deposition

Harris v. Albany International
Corp., Appleton Wire Division
CV-97-M-657-N
U.S. District Court for
the Middle District of AL

FOSHEE & TURNER COURT REPORTERS

COPY

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

THOMAS HARRIS,)

Plaintiff,)

vs.)

CASE NUMBER:

ALBANY INTERNATIONAL)

CV-97-M-657-N

CORPORATION, APPLETON)

WIRE DIVISION,)

Defendants.)

DEPOSITION OF DORA DEAN IVERSON

In accordance with Rule 5(d) of
The Alabama Rules of Civil Procedure, as
Amended, effective May 15, 1988, I, Cindy
Weldon, am hereby delivering to Charles A.
Powell IV, the original transcript of the
oral testimony taken on the 19th day of
October, 1999, along with exhibits.

Please be advised that this is the
same and not retained by the Court Reporter,
nor filed with the Court.

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF ALABAMA
3 NORTHERN DIVISION
4
5 THOMAS HARRIS,)
6 Plaintiff,)
7 vs.) CASE NUMBER:
8) CV-97-M-657-N
9 ALBANY INTERNATIONAL)
10 CORPORATION, APPLETON)
11 WIRE DIVISION,)
12 Defendants.)
13
14
15 S T I P U L A T I O N
16 IT IS STIPULATED AND AGREED, by
17 and between the parties through their
18 respective counsel, that the deposition of
19 DORA DEAN IVERSON, may be taken before Cindy
20 Weldon, Certified Shorthand Reporter,
21 Commissioner and Notary Public, at 516 South
22 Perry Street, Montgomery, Alabama, on
23 October the 19th, 1999, at 9:30 a.m.

FOSHEE & TURNER COURT REPORTERS

1 IT IS FURTHER STIPULATED AND
2 AGREED that the signature to and the reading
3 of the deposition by the witness is waived,
4 the deposition to have the same force and
5 effect as if full compliance had been had
6 with all laws and rules of Court relating to
7 the taking of depositions.

8 IT IS FURTHER STIPULATED AND
9 AGREED that it shall not be necessary for
10 any objections to be made by counsel to any
11 questions, except as to form or leading
12 questions, and that counsel for the parties
13 may make objections and assign grounds at
14 the time of trial, or at the time said
15 deposition is offered in evidence, or prior
16 thereto.

17 IT IS FURTHER STIPULATED AND
18 AGREED that notice of filing of the
19 deposition by the Commissioner is waived.
20
21
22
23

FOSHEE & TURNER COURT REPORTERS

1 A P P E A R A N C E S

2

3 FOR THE PLAINTIFF:

4 MS. KAY DICKEY

5 516 SOUTH PERRY STREET

6 MONTGOMERY, ALABAMA 36101

7

8 MR. MARK GRAHAM

9 1900 3RD AVENUE NORTH

10 BIRMINGHAM, ALABAMA 35203

11

12 FOR THE DEFENDANT:

13 CHARLES A. POWELL IV

14 SUITE 1410, AMSOUTH/HARBERT PLAZA

15 1901 SIXTH AVENUE NORTH

16 BIRMINGHAM, ALABAMA 35203

17

18 ALSO PRESENT:

19 MR. THOMAS HARRIS

20 MR. TED BRYANT

21

22

23

FOSHEE & TURNER COURT REPORTERS

1 The company had no more -- didn't
2 have anywhere else to put him. That --
3 somewhat like this company don't like
4 blacks. They don't like women. And you are
5 as far as you're going. That's -- I've
6 heard that statement.

7 Q. Well, who have you heard make
8 these statements?

9 A. Dot Collins, I've heard her make
10 those.

11 Q. Have you heard anybody else at
12 Appleton Wire make those statements?

13 A. I don't remember. But I know I've
14 heard Dot Collins.

15 Q. Okay. Have you ever heard anybody
16 in management at Appleton Wire say that
17 blacks are never going to be promoted?

18 A. No.

19 Q. Ever heard anybody in management
20 at Appleton Wire say women are never going
21 to be promoted?

22 A. No.

23 Q. You said -- I think this is pretty

FOSHEE & TURNER COURT REPORTERS

1 close to accurate, and if it's not, correct
2 me -- as black employees, there are places
3 for you with the company?

4 A. Yes.

5 Q. Is there some list somewhere that
6 says these are the jobs for blacks?

7 A. No.

8 Q. Ever seen a list like that?

9 A. No.

10 Q. Had anybody in management at
11 Appleton Wire tell you there's a list like
12 that?

13 A. No.

14 Q. What are you talking about?

15 A. I'm talking from -- I'm talking
16 from experiences, being there. I'm talking
17 from -- okay. As far as -- we have had
18 -- I've been a lead. I gave up the lead
19 job because of Jewell Johnson because --
20 well, in the lead -- during that time when
21 you were lead, you just helped the other
22 employees out. But then they had the guys
23 from finishing to come back and take down

FOSHEE & TURNER COURT REPORTERS

1 the wires or put boards on.

2 So then they stopped the guys from
3 doing it and they had women do it. They had
4 the lead people help changing out all the
5 wires. So when they asked -- when they said
6 -- I said, well, Jewell does this mean that
7 I have to change wires out? If four wires
8 come down that day, I have to help change
9 those wires out?

10 When you working with those wires
11 -- we was working with like steel poles and
12 everything. I'm talking about huge steel
13 poles. The wires were like -- when you turn
14 them, it was like you can practically flip
15 with the wire if you wasn't strong enough.

16 So I told him -- I said, well, I
17 can't be your lead anymore. So she went to
18 Ted and told Ted I was refusing to do my
19 job. He came back, he asked no questions.
20 He just told me, Dora, you're not -- you're
21 refusing to do your job? I says, no, Ted,
22 I'm giving up the lead job. I don't want to
23 be lead anymore.

FOSHEE & TURNER COURT REPORTERS

1 Things like -- As far as like this
2 HOA project I'm on. When we went to the
3 project -- when Jeff decided two people to
4 work on it -- we had like a little
5 committee. Jeff decided that a white and a
6 Korean person would work it. And there was
7 two other blacks. He picked the whites over
8 the blacks.

9 He -- Sook Chung had been a lead.
10 Then they turn around and what they did was,
11 she gave up the lead. They in turn asked
12 her again to do the lead work. Meanwhile,
13 she's not doing any more than I was doing;
14 but she was getting fifty cent more than I'm
15 getting.

16 It's just -- there's so much --
17 this is how come -- it's from their
18 practices -- the practices. And just
19 recently, they made Nat -- put Nat in a
20 seaming job. But as far as the company, we
21 never see -- you just see -- in the high
22 places, you just see whites in high places.
23 I'll put it like that.

FOSHEE & TURNER COURT REPORTERS

1 A. Nat Jones.

2 Q. He and Maurice Rollins have the
3 same job on different shifts?

4 A. Yes.

5 Q. Nat Jones also has supervisory
6 responsibility in the seaming department?

7 A. Seaming, yes.

8 Q. All right.

9 A. Maurice and John Johnson, too.
10 They come and handle things in seaming, too,
11 on their shifts.

12 Q. What's Barbara's last name?

13 A. Smith.

14 Q. Is Barbara Smith white or black?

15 A. Black.

16 Q. What's her job in the plant?

17 A. I really don't know her title
18 because she was a supervisor. Then they
19 made some changes. Management made
20 changes. And then she was like a trainer.
21 So now, she's back in the office. So I
22 really don't know her title.

23 Q. But she's in some kind of -- she's

FOSHEE & TURNER COURT REPORTERS

1 not on the floor as a production employee?

2 A. No.

3 Q. And she had been a supervisor and
4 then a trainer and you're not sure what she
5 is now?

6 A. No.

7 Q. How long had Barbara been a
8 supervisor?

9 A. I don't know exactly, but I know
10 she was seaming supervisor. Then she was a
11 trainer. And I really don't know how long.

12 Q. You talked earlier about you
13 giving up the lead position.

14 Now, you voluntarily gave up the
15 job?

16 A. Yes.

17 Q. If I understood you correctly, you
18 gave it up because there was a change in the
19 way the work was distributed in the plant
20 and you physically couldn't handle the
21 equipment, changing wires in the seaming
22 department?

23 A. Yes.

FOSHEE & TURNER COURT REPORTERS

1 Q. Something discriminatory about how
2 that happened?

3 A. No.

4 Q. What is the HOA project?

5 A. This is -- it's an exclusive
6 project where we work for P&G and we do --
7 they call -- the fabrics we seam, they're
8 called HOA. I don't know why, but they are
9 called HOA.

10 This is where we was having some
11 new machines brought in. And people were to
12 train to operate these machines and to run
13 these fabrics on these machines.

14 Q. When did this HOA project start?

15 A. About two years ago.

16 Q. You brought some documents and you
17 may want to pull them out and take a look at
18 them. I'm looking at a grievance report
19 dated March 28th of '97. I see in this
20 written component some reference to the HOA
21 project.

22 A. Okay. What are you asking me?

23 Q. From the standpoint of when the

FOSHEE & TURNER COURT REPORTERS

1 HOA project began, I assume it was sometime
2 before March of '97?

3 A. We started like having meetings
4 and making plans for operators to run the
5 machine. So what happened was, when they
6 did so -- I'm trying to think exactly what
7 happened.

8 In reference to this, this
9 grievance, I came in one day and -- so I had
10 heard from other employees that they had
11 assigned the two people they wanted on the
12 machines, which was at first, Doris and Sook
13 Chung.

14 So I asked Nat -- I was asking Nat
15 -- in other words, I was working on the
16 project and then I come to work. So I asked
17 Nat -- I said, Nat -- I asked him about what
18 did they -- what was I to do that day.
19 Anyway, I was asking about the project.

20 Well, what happened, while I was
21 talking to Nat, Jeff -- he just jumped in
22 and said that it was his -- it was his
23 decision what took place on the HOA

FOSHEE & TURNER COURT REPORTERS

1 Q. Any other shop stewards in the
2 plant?

3 A. No.

4 Q. What's Geri's last name?

5 A. Forest.

6 Q. Is Geri Forest a shop steward?

7 A. No.

8 Q. She was not a shop steward at the
9 time?

10 A. No.

11 MS. DICKEY: Could we take a
12 break?

13 MR. POWELL: Sure. Not a problem.
14 (Whereupon, a brief recess was
15 taken.)

16 Q. Was there a resolution to this
17 grievance?

18 A. He wrote that note.

19 Q. Is that this note that's --

20 A. Which he didn't sign.

21 MS. DICKEY: He didn't sign or --

22 THE WITNESS: He didn't sign it.
23 He wrote it.

FOSHEE & TURNER COURT REPORTERS

1 (Whereupon, Defendant's Exhibit
2 No. 2 was marked for identification.)

3 Q. But this back page of what's been
4 marked as Exhibit 2, this handwritten note,
5 Jeff Johnson wrote this?

6 A. Yes.

7 Q. Did you accept this as the
8 resolution of the grievance?

9 A. At that point in time, Dot said,
10 well, since he had did this, that -- had
11 wrote this note, that we'll just -- and he
12 had agreed to apologize, that we could just
13 -- we would just go on.

14 Q. When you say Dot, you're talking
15 about Dot Collins?

16 A. Dot Collins, uh-huh (indicating
17 yes).

18 Q. She was the shop steward?

19 A. Shop steward.

20 Q. All right. So that was the end of
21 this grievance?

22 A. Yes.

23 Q. Other than this particular

FOSHEE & TURNER COURT REPORTERS

1 occasion, had Mr. Johnson ever done anything
2 else to you that you thought was
3 inappropriate?

4 A. Once, he -- We was in a meeting
5 and Dottie was looking at something like a
6 -- we keep pamphlets. Anyway, she was
7 looking at the book, so she passed the book
8 for me to look at. As soon as I opened it
9 up, he told me to shut the book; I could not
10 look at it in his meeting. But he allowed
11 Dottie to look at it.

12 Q. When did this happen?

13 A. This may have been about two
14 years. Year-and-a-half, two years. One
15 other time was when he first became
16 supervisor. That's probably about four
17 years ago. He -- I was working with Doris
18 Carter.

19 It was like almost time for shift
20 change. I finished up a fabric, and I was
21 -- in other words, usually if we finish up,
22 we don't have time to take down the wire.
23 We don't have to take it down. The next

FOSHEE & TURNER COURT REPORTERS

1 person to come in -- but anyway, he insisted
2 that I take the wire down.

3 So my take down went -- it ran
4 into shift change. So when I was on my way
5 out the door, Shirley and Dottie said
6 something to me pertaining to the take
7 down. Somewhat like, he saw to you taking
8 that wire down. So I responded to them.

9 So after I went home from work,
10 they went in the office and told Jeff that I
11 had jumped on them. He called me in the
12 office the next day and he got onto me. He
13 told me that he wouldn't have me jumping his
14 employees.

15 So a couple of days went on. So I
16 went to the telephone and I called --
17 because George had told us his door was
18 open. I went to talk to -- I called
19 George's office. But instead, I didn't get
20 George. This is -- I got John, John
21 Watson.

22 But John said he was going to come
23 back and talk to me. Probably about three